



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Bishop Field Office
351 Pacu Lane, Suite 100
Bishop, CA 93514
Phone: 760 872-5000 Fax: 760 872-5050
www.ca.blm.gov/bishop



FINDING OF NO SIGNIFICANT IMPACTS (FONSI)

for

EA CA 170-07-12

**10 Year Grazing Authorization on the Sawmill Creek (6015),
West Crater Mountain (6019), Shannon Canyon/Baker Creek (6021), Black Mine (6023),
Tinemaha (6033), Ash Creek (6042), Alabama Hills (6046), Red Mountain (6047),
West Santa Rita (6048), Aberdeen (6049), Poverty Hills (6050),
East Crater Mountain (6079), and George Creek (6082) allotments**

Introduction:

One of the primary purposes for conducting an environmental assessment is to determine whether or not a proposed action will have a significant impact on the human environment and therefore will require the preparation of an EIS. As defined in 40 CFR 1508.13, the Finding of No Significant Impact (FONSI) is a document that briefly presents the reasons why an action will not have significant effect on the human environment. The regulations further define the term “significantly” in 40 CFR 1508.27 and require that the context and intensity of impacts be considered in analyzing significance. Context means “that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality.” 40 CFR 1508.26(a) Intensity “refers to the severity of the impact.” 40 CFR 1508.26(b) The analysis to make a determination whether to prepare an Environmental Impact Statement (EIS) is based on the following criteria.

Rationale for Finding of No Significant Impact:

I have reviewed the environmental assessment (EA) CA 170-07-12 regarding the Sawmill Creek (6015), West Crater Mountain (6019), Shannon Canyon/Baker Creek (6021), Black Mine (6023), Tinemaha (6033), Ash Creek (6042), Alabama Hills (6046), Red Mountain (6047), West Santa Rita (6048), Aberdeen (6049), Poverty Hills (6050), East Crater Mountain (6079), and George Creek (6082) allotments, including the explanation and resolution of any potentially significant environmental impacts. The EA details the effects of the project and provides the basis for the conclusions in this FONSI. None of the effects identified including direct, indirect, and cumulative effects, are considered significant based on seasonal use of the allotments, low stocking rates, and minimal impacts to the native vegetative community. Therefore, an environmental impact statement is not needed.

Intensity: This issue is addressed through the ten “significance” criteria described in 40 CFR 1508.27, and discussed below:

1) Impacts may be both beneficial and adverse.

The Rangeland Health Assessments conducted, indicate that there are no significant environmental impacts from current use and the allotments all meet Rangeland Health Standards. Authorizing grazing with revised, allotment specific terms and conditions would not create negative impacts to livestock operations. The terms and conditions are designed to help protect and sustain rangeland health and to keep the ecosystem functioning properly.

2) The degree to which the proposed action affects public health or safety.

Public health and safety was not identified as an issue.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Based on the EA, the Sawmill Creek, Shannon Canyon/Baker Creek, Black Mine, Tinemaha, Ash Creek, Red Mountain, West Santa Rita, Aberdeen, and Poverty Hills allotments are not unique. The Sawmill Creek, Shannon Canyon/Baker Creek, Black Mine, Tinemaha, Ash Creek, Red Mountain, West Santa Rita, Aberdeen, and Poverty Hills allotments serve as fringe allotments to Los Angeles Department of Water and Power leased land where more desirable water and suitable vegetation occur. As a result, livestock use on these BLM allotments are generally highly dispersed with light use.

Based on the EA, East and West Crater Mountain allotments are located within the Crater Mountain Area of Critical Environmental Concern (ACEC). Approximately 2,580 acres (44%) of the ACEC lies in the East Crater Mountain allotment while 3,248 acres (56%) lies in the West Crater Mountain allotment. The ACEC was designated in 1993 through the Bishop Resource Management Plan (RMP) process. It totals 5,828 acres and was designated for its unique assemblage of resource values. The RMP states its goals are to protect scenic values, enhance recreation opportunities, and provide for interpretation of geologic features. No endangered species or wetlands occur in the ACEC that could be affected by the proposed action. Although, cultural sites exist throughout the ACEC, current impacts are considered to be largely nonexistent because little to no grazing use occurs in the ACEC because the rocky and cobble volcanic terrain impedes cattle movement.

Furthermore, approximately 65% (4,583 acres) of the Crater Mountain Wilderness Study Area (WSA) (CA-170-010-062) occurs within the West Crater Mountain allotment, and the remaining 35 % (2,463 acres) of the WSA occurs within the East Crater Mountain allotment. Wilderness values are described in the 1979 Final Wilderness Intensive Inventory Report while the WSA's existing range and other improvements are identified in the 1990 California Statewide Wilderness Study Report. The Interim Management Policy for Lands Under Wilderness Review (IMP) provides direction for grazing management in WSAs until they are designated wilderness or released from the wilderness review process. Grazing existed on the West and East Crater Mountain allotments at the time the WSA was designated by BLM in the 1980's and is a use grandfathered by Section 603(c) of FLPMA. Grazing may continue to the same manner and

degree as took place in 1976. Livestock infrequently use the course volcanic terrain that makes up the majority of Crater Mountain WSA. Continuance of proposed grazing in the Crater Mountain WSA (West and East Crater Mountain allotments) would conform with the BLM IMP and would not impair Congress's ability to designate the WSA as Wilderness.

Based on the EA, the southern portion of the Alabama Hills allotment contains the Alabama Hills Special Recreation Management Area (SRMA), designated in the early 1980's. The SRMA encompasses 30,000 acres, is entirely within the Alabama Hills allotment, and is managed to enhance semi-primitive nonmotorized and roaded natural opportunities. It receives a high amount of dispersed recreation activity consisting primarily of camping, motor touring, photography, climbing, walking, hiking, horseback riding, and shooting. Livestock are rarely encountered in the Alabama Hills main use corridor along Movie Flat Road, as they are free to roam where feed is more abundant and where fewer people or vehicles exist. The permittee also makes a concerted effort to keep livestock out of the high use portion of the SRMA.

Based on the EA, 100 % (8,352 acres) of the Symmes Creek WSA (CA170-010-064) and 86 % (5,579 acres) of the Independence Creek WSA (CA-170-010-057) occur within the Alabama Hills allotment. The remaining 14% (910 acres) of the Independence Creek WSA (CA170-010-057) occurs within the George Creek Allotment. Wilderness values are described in the 1979 Final Wilderness Intensive Inventory Report while the WSA's existing range and other improvements are identified in the 1990 California Statewide Wilderness Study Report. The Interim Management Policy for Lands Under Wilderness Review (IMP) provides direction for grazing management in WSAs until they are designated wilderness or released from the wilderness review process. Grazing existed on the Alabama Hills and George Creek allotments at the time the two WSAs were designated by BLM in the 1980's and is a use grandfathered by Section 603(c) of FLPMA. Grazing may continue to the same manner and degree as took place in 1976. Livestock grazing in the Symmes Creek WSA and Independence Creek WSA is very low, as cattle are primarily in the northern portion of the Alabama Hills allotment and are well scattered north of Independence Creek. Livestock are herded throughout the George Creek allotment, which distributes the grazing use throughout the small portion of Independence Creek WSA that lies within the allotment. Continuance of proposed grazing in the Symmes Creek and Independence WSAs (Alabama Hills and George Creek allotments) would conform with the BLM IMP and would not impair Congress's ability to designate these WSAs as Wilderness.

Furthermore, the Alabama Hills and George Creek allotments do contain approximately six miles of creeks determined to be eligible for wild and scenic river study (and possible recommendation as a component of the National Wild and Scenic River System) within the Bishop RMP. These creeks are Independence Creek and George Creeks; both creeks are classified as recreational. Two and a half miles of Independence Creek flows on BLM land and an 800 acre corridor along the waterway is designated as eligible. Three and three-quarter miles of George Creek flows on BLM land and a 1200 acre corridor along the waterway is designated as eligible. Currently, the "Interim Management Guidelines for Study Rivers" provides guidance to protect all eligible waterways until the study process is completed and a suitability or nonsuitability determination is made. There are no impacts from proposed or current grazing on public land to the identified wild and scenic river values associated with George Creek and Independence Creek river segments.

Lastly, there are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas within these thirteen allotments.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

No effects that may occur as a result of the approval of this proposed action were identified in the EA that are likely to be controversial.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The proposed action is not unique or unusual. The environmental effects to the human environment were analyzed in the Environmental Assessment. There are no predicted effects on the human environment, which are considered to be highly uncertain or involve unique or unknown risks.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed action does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. The proposed action continues a traditional use of public lands with consideration for sensitive species and the native plant communities. Any future grazing permit renewals will be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The proposed action was evaluated in the context of past, present, and reasonably foreseeable actions. These cumulative effects are identified in the EA. Significant cumulative effects were not identified from the proposed action, based on grazing permit issuance that would occur as a result of the decision herein.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

Based on the EA, the proposed action will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The Sawmill Creek, Shannon Canyon/Baker Creek, Black Mine, Tinemaha, Ash Creek, Red Mountain, West Santa Rita, Aberdeen, Poverty Hills, and East Crater Mountain allotments serve as fringe allotments to Los Angeles Department of Water and Power (LADWP) leased land where more desirable water and suitable vegetation occur. The West Crater Mountain allotment is located on the west and south portions of Crater Mountain. Although cultural sites exist

around Crater Mountain, impacts are considered to be largely nonexistent because little to no grazing use occurs because of the rocky and cobble volcanic terrain impedes cattle movement. The Alabama Hills allotment is unfenced from the permittee's adjacent LADWP leased lands and portions of the Inyo National Forest which makes up the western border. The George Creek allotment is an on/off allotment with the operator's adjacent Inyo National Forest allotment. Livestock are herded throughout the Alabama Hills and George Creek allotments to distribute grazing use and to relieve pressure of the creeks and riparian areas. Impacts to cultural properties are predicted to be minimal as a result of the proposed action as livestock use on these allotments is generally highly dispersed with light use. Impacts to sites are low based on targeted field evaluations and are predicted to be low across the allotments.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

There will be no effect on threatened or endangered species as a result of the action. There is no designated critical habitat for any federally listed species on the Sawmill Creek, West Crater Mountain, Shannon Canyon/Baker Creek, Black Mine, Ash Creek, Alabama Hills, Red Mountain, West Santa Rita, Aberdeen, Poverty Hills, East Crater Mountain, and George Creek allotments and no federally listed species are known to occupy these allotments. An artificial pond at Mule Spring in the Tinemaha allotment contains a small population of the Toikona variety of the Owens tui chub (*Siphateles bicolor*), a federal endangered species. Due to the pond location along the Inyo Mountains, slope of the site, and the availability of water along the Owens River, livestock do not use the pond as a water source and therefore, do not impact the Owens tui chub.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The approved action does not violate any Federal, State, or local law or requirement imposed for the protection of the environment. The EA contains discussion pertaining to the Endangered Species Act, National Historic Preservation Act, Clean Water Act, Clean Air Act, and Executive Order 12898 (Environmental Justice). State, local, and tribal interests were consulted during the environmental analysis process. No violations or inconsistencies of these interests were noted or left unresolved. Furthermore, the approved proposed action is consistent with applicable land management plans, policies, and programs.

Finding of No Significant Impact:

I have determined that the proposed action is in conformance with the Bishop Resource Management Plan approved on March 23, 1993, as amended by the Central California Standards for Rangeland Health and Guidelines for Livestock Grazing approved on July, 13, 2000. This plan has been reviewed, and the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5.

Based upon a review of the EA and the supporting documents, I find that the proposed action will not significantly affect the quality of the human environment, individually or cumulatively

with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and an environmental impact statement is not needed. Therefore, it is my decision to implement the proposed action from EA CA 170-07-12 for the Sawmill Creek (6015), West Crater Mountain (6019), Shannon Canyon/Baker Creek (6021), Black Mine (6023), Tinemaha (6033), Ash Creek (6042), Alabama Hills (6046), Red Mountain (6047), West Santa Rita (6048), Aberdeen (6049), Poverty Hills (6050), East Crater Mountain (6079), and George Creek (6082) allotments and authorize livestock grazing for 10-years with revised, allotment specific terms and conditions to the grazing operators.

Authorized Official:

Field Manager, Bishop Field Office

Date:_____